

REMARKS

Claims 1 – 26 are pending. Claims 1, 4 – 11, 18 – 21, 24 and 26 are rejected, and claims 2, 3, 12 – 17, 22, 23 and 25 contain allowable subject matter but are objected to because they depend from a respective one of the rejected independent claims.

The applicant's attorney amends claims 1, 11, 19, 20, 21, 24 and 26, and cancels claims 5 and 6. Claims 20 and 21 have been amended not to overcome the examiner's rejection, but to more clearly recite an aspect of the applicant's invention. Furthermore, these amendments do not narrow the claims. The applicant's attorney respectfully asserts that claims 1 – 4 and 7 – 26, as amended, are in condition for allowance for the reasons discussed below.

Rejection of Claims 1 and 4 – 11 under 35 U.S.C. §102(b) and objection to claims 2 and 3

The applicant's attorney respectfully asserts that claim 1, as amended, is patentable over U.S. Patents 5,791,600 issued to Thompson (Thompson) and 3,602,730 issued to Cushing (Cushing) because each fails to disclose floating a mission module near a vessel before retrieving the mission module with the vessel.

The applicant's claim 1, as amended recites floating a mission module near a vessel, and retrieving the module with the vessel.

For example, as shown in FIGS. 3A – 3D and discussed in paragraphs 18 and 27 – 32 of the specification, a ship 100 has a module 105A installed that enables the ship 100 to perform a function for a specific mission, such as littoral operations, anti-submarine operations, and search and rescue operations. When the mission of the ship 100 changes and the mission module 105A is not appropriate for the new mission, the ship 100 replaces the module 105A with another, appropriate mission module 105B. To do this, the ship 100 releases the module 105A. With the module 105A floating on the water, the ship 100 then maneuvers away from the module 105A and toward the other module 105B that is floating nearby. As the ship 100 maneuvers toward the module

105B, the ship also positions itself relative to the module 105B to retrieve the module 105B and install the module 105B in the ship 100. After the module 105B is installed, the ship 100 is ready to begin its new mission.

In contrast, Thompson fails to disclose floating a mission module near a vessel before retrieving the mission module with the vessel. Thompson discloses an orbiting space station 30 (FIG. 3), an NTSB Orbitor 32 (FIG. 3), and a modular system 8 (FIG. 3) that is attachable to either. When the modular system 8 is used with the Orbitor 32, the system 8 holds cargo to facilitate the loading and transportation of cargo to and from the space station 30 and Earth by the NTSB Orbitor 32. When the modular system 8 is used with the space station 32, the system 8 adds room to the space station 32. To mount the system 8 to the Orbitor 32, a crane or some other device lifts the system off the ground and places it into a bay of the Orbitor 32. To attach the system 8 to the space station 30, the system 8 is positioned and held to the station 30 by the Orbitor's remote manipulating system. Therefore, unlike the applicant's claimed method, the modular system 8 does not float near the Orbitor 32 or space station 30 before the system 8 is attached to either one.

Cushing also fails to disclose floating a mission module near a vessel before retrieving the mission module with the vessel. Cushing discloses a power supply box 28 located in a hold 26 of a cargo ship 20 to provide power to the cargo containers 22 also located in the hold 26. The power supply box 28 and the cargo containers 22 are loaded into the hold 26 by cranes that lift them off the ground or the deck of another ship. Therefore, unlike applicant's claimed method, the power supply box 28 and cargo containers 22 do not float near the ship 20 before they are loaded into the hold 26.

Claims 2 – 4 and 7 – 10 are patentable by virtue of their dependencies on claim 1 as amended.

Rejection of Claims 11 and 18 under 35 U.S.C. §102(b)
and objection to claim 12 – 17

Claim 11 is patentable over Thompson for reasons similar to those recited above in support of claim 1 over Thompson.

Claims 12 – 18 are patentable by virtue of their dependencies from claim 11.

Rejection of Claims 19 – 21 under 35 U.S.C. §102(b)
and objection to claims 22 and 23

Claim 19 is patentable over Thompson and Cushing for reasons similar to those recited above in support of claim 1 over Thompson and Cushing.

Claims 20 – 23 are patentable by virtue of their dependencies from claim 19.

Rejection of Claim 24 under 35 U.S.C. §102(b)
and objection to claim 25

Claim 24 is patentable over Thompson for reasons similar to those recited above in support of claim 1 over Thompson.

Claim 25 is patentable by virtue of its dependency from claim 24.

Rejection of Claim 26 under 35 U.S.C. §102(b)

Claim 26 is patentable over Thompson for reasons similar to those recited above in support of claim 1 over Thompson.

Conclusion

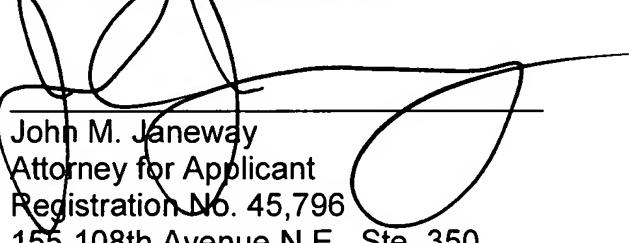
The applicant's attorney respectfully requests the examiner withdraw the rejection and objection to claims 1 – 4 and 7 – 26, as amended, and issue an allowance for these claims.

Should any additional fees be required, please charge them to Deposit Account No. 07-1897.

If, after considering this response, the examiner believes the claims should not be allowed, the applicants' attorney respectfully requests that before issuing an Office Action, the examiner call to schedule a telephone conference to further the prosecution of the claims.

DATED this 27th day of December 2005.

Respectfully submitted,
GRAYBEAL JACKSON HALEY LLP



John M. Janeway
Attorney for Applicant
Registration No. 45,796
155-108th Avenue N.E., Ste. 350
Bellevue, WA 98004-5973
(425) 455-5575